DRAFT

NOTICE OF EXEMPTION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street, Room 212
Sacramento, California 95812-3044

From: Department of Toxic Substances Control
Landfills Unit
9211 Oakdale Avenue
Chatsworth, California 91311

Project Title: ConocoPhillips San Francisco Refinery, Primary Storm Basin Closure Plan Approval and a Post Closure Permit

Project Location: 1380 San Pablo Avenue, Rodeo, California 94572-1299

County: Contra Costa

Project Description:

The Department of Toxic Substances Control (DTSC) is seeking approval of a Closure Plan (CP) and a Post Closure Permit (PCP) for the Primary Storm Basin (PSB) located at the ConocoPhillips San Francisco Refinery (SFR) pursuant to authority granted under Chapter 6.5, sections 25150, 25159 and 25159.5 of the California Health and Safety Code. The PSB is subject to post-closure care because DTSC required clean-up standards for groundwater contamination could not be met during closure activities. Within twelve (12) months of issuance of this approval, ConocoPhillips and DTSC shall sign and record in a Land Use Covenant to restrict use of the PSB to industrial activities.

Project Activities:

The CP requires ConocoPhillips to 1) remove sludge which may have accumulated on the bottom of the PSB and transporting the material to an off-site licensed disposal facility, 2) install a synthetic liner system comprised of an XR-5 Geomembrane top liner over the existing concrete floor and Gunite side walls, and 3) install underlying leachate collection/leak detection geogrid drainage net that would be situated between the liner and the existing concrete basin floor and Gunite side walls. Any water (e.g., precipitation) that remains in the PSB will be treated and discharged through the existing Unit 100, Waste Water Treatment Plant (WWTP) prior to commencement of closure activities. The five primary components of the WWTP are API separator, Dissolved Air Floatation unit, two activated sludge system, two clarifiers and a dechlorination system. It is expected that the closure activities will be completed within twelve (12) months of CP approval.

The PCP allows ConocoPhillips to continue to operate the PSB as an emergency discharge impoundment for wastewater and stormwater during its 30-year RCRA post-closure period. The PCP will require sampling and analyses of groundwater for a wide variety of components in five (5) wells on a semi-annual basis and Appendix IX sampling once every five (5) years. Additional surface level measurement events will be conducted for the PSB monitoring wells. The groundwater samples will be analyzed for the following monitoring parameters: benzene, ethylbenzene, toluene, xylenes, naphthalene (as VOC), methylnaphthalene, 2-methylphenol, 4-methylphenol and phenol. The San Francisco Bay Regional Water Quality Control Board (RWQCB) is the lead agency overseeing the site-wide corrective action for soil and groundwater contamination cleanup at the facility under a Cleanup and Abatement Order (COA) No. R2-2005-0026 and subsequent amendments. The PCP monitoring activities to be carried out after closure of the PSB will be of three types: groundwater monitoring, monitoring of the PSB and the synthetic liner system, and monitoring of the leachate/leak detection system associated with the PSB.

Background:

The SFR encompasses a total of 1,100 acres of land, including a 495-acre industrial area where the refining facilities and equipment are located. The remaining 605 acres are undeveloped lands that serve as a buffer. Established in 1896, the SFR was the first major oil refinery in the Bay Area. The original site occupied only 22 acres and processed 1,600 barrels of crude oil per day.

The majority of the SFR has a General Plan land use designation of Heavy Industry. The property is bisected by the north-south running Interstate-80 (I-80), with most of the developed Refinery area being west of the freeway and most of the undeveloped area being upland habitat to the east of the freeway. The portion of the parcel west of I-80 is bordered to the north by the Nu Star Terminal, to the east by I-80, to the south by the Bayo Vista residential area, and to the west by San Pablo Bay. The portion of the parcel east of I-80 is bordered to the north by Cañada del Cierbo, an intermittent

stream, to the west and south by undeveloped, mostly agricultural land, and to the west by I-80. The Proposed Project would be confined to the developed SFR area west of I-80, between I-80 and San Pablo Avenue.

The SFR has been continuously operating at its present site since Union Oil Company originally built it in February 1896. The principal activity is the manufacturing of transportation fuels; the facility converts crude oil and other feedstock into gasoline, jet fuel, and diesel. By-products of the SFR include sulfur and petroleum coke. The Proposed Project area consists of closure/post closure of PSB as provided in the project description above.

PSB is located in the Unit 100 WWTP subarea of the SFR. Unit 100 is located in the southern portion of SFR along refinery Road 4. PSB occupies a surface area of approximately 1.1 acres, and is approximately 7 feet deep. The PSB is a below-grade, open-air, surface impoundment with a concrete bottom and gunite sides. It is currently permitted to temporarily store up to 2.3 million gallons of hazardous process wastewater and/or stormwater during emergencies and high intensity rainfall events. An outflow weir limits the total storage capacity of the PSB to 2.3 million gallons with 2.5 feet of freeboard. The weir connects to the 7.2 million gallon Main Storm Basin.

PSB is used for temporary storage of a process wastewater and/or stormwater during operating emergencies at the SFR, such as at times of peak flow and/or equipment malfunction. Stored water typically contains some free oil and detectable amounts of some dissolved organic constituents including benzene. Although PSB is currently permitted for hazardous waste storage of benzene (D018) characteristic wastewater, when it is used, it typically does not receive water that exceeds the hazardous waste threshold of 0.5 mg/L. It is proposed that PSB be permitted to receive wastewater or stormwater during post-closure that could on occasion exhibit the benzene (RCRA Waste ID D018) characteristic.

As previously stated, ConocoPhillips conducts groundwater monitoring, investigation and monitoring for the entire refinery pursuant to requirements of the RWQCB Order No. R2-2005-0026 and subsequent amendments. In accordance with Senate Bill (SB) 1082 (Calderon, 1993), oversight of the corrective action at the ConocoPhillips San Francisco Refinery and authority for implementing the requirements of the groundwater monitoring program lies with the RWQCB. Additionally, SB 1082 provides that the requirements for monitoring regulated units can be enforced through Water Board orders so that duplication of effort is avoided by the State.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: ConocoPhillips Los Angeles Refinery

Exemption Status: (check one)

☐ Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
☐ Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
☐ Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
☐ Categorical Exemption: [State type and section number]
☐ Statutory Exemptions: [State code section number]
☒ General Rule [CCR, Sec. 15061 (b) (3)]

Exemption Title: Title 14, California Code of Regulations, Section 15061 (b) (3) – With Certainty, No possibility of significant effect on the environment.

Reasons Why Project is Exempt: The proposed project will have no significant effect on the environment, because:

1) No significant disturbance will occur since the groundwater monitoring wells are already in place.

2) Soil excavation and removal will not be performed.

3) The proposed groundwater monitoring will not affect the ongoing groundwater investigation/remediation by RWQCB; and will assure that the on-going cleanup under the RWQCB authority will not be impaired.

4) The SFR is secured with fencing and locks, and restricted to public access.

5) There are no known historical features or cultural resources located at the SFR.

6) The monitoring well locations are not in an area of biological significance and do not contain critical habitat for sensitive, threatened, or endangered species.

7) PCP application has a regular schedule for inspection of the following structures and facilities: synthetic liner system, storm water pump, groundwater pump, sump level instruments.

8) The project is not located on a site which is included on any list compiled pursuant to Cal., Gov. Code § 65962.5 (http://calepa.ca.gov/sitecleanup/corteselist/default.htm).

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Project Manager Name	Project Manager Title	Phone #

Team Leader Signature	Date

Peter Bailey	Landfills Team Leader	(916) 255-3602
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